

RESOLUTION NO. 2012-14

**A RESOLUTION EXPRESSING OPPOSITION TO THE SUPREME COURT DECISION
IN CITIZEN UNITED V. FEC, AND SUPPORTING AN AMENDMENT
TO THE UNITED STATES CONSTITUTION**

WHEREAS, government of the people, by the people, and for the people is the bedrock of American political system, and the people's fundamental and inalienable right of self-governance is guaranteed in the United States Constitution; and,

WHEREAS, the Declaration of Independence declares as self-evident the truth that all people are endowed by their creator with certain inalienable rights, and that among these are the rights of life liberty and the pursuit of happiness; and

WHEREAS, free and fair elections are essential to American democracy and effective self-governance; and,

WHEREAS, corporations and similar legal entities are not natural persons, but are created by government action and by rights should be subordinate to the interests of the American people; and,

WHEREAS, the Bill of Rights provides certain inalienable rights to natural persons but nowhere are corporations mentioned in the Constitution, yet the Supreme Court has determined they have constitutional rights anyway; and

WHEREAS, in 2010 the United States Supreme Court issued its decision in Citizens United v. Federal Election Commission, holding that independent spending on elections by corporations and other groups could not be limited by government regulations; and,

WHEREAS, in reaching its decision, a majority of the Supreme Court interpreted the First Amendment of the Constitution to afford corporations the same free speech protections as natural persons; and,

WHEREAS, this decision rolled back the legal restrictions on corporate spending in the electoral process, allowing for unlimited corporate spending to influence elections, candidate selection, and policy decisions; and

WHEREAS, in his eloquent dissent, Justice John Paul Stevens recognized that "corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of 'We the People' by whom and for whom our Constitution was established"; and,

WHEREAS, the Court's decision in Citizens United severely hampers the ability of federal, state and local governments to enact reasonable campaign finance reforms and regulations regarding corporate political activity; and,

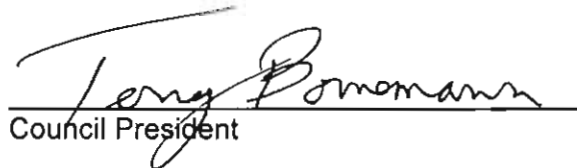
WHEREAS, an ABC-Washington Post poll conducted in February, 2010, showed that 80% of those surveyed opposed (and 65% strongly opposed) the *Citizens United* ruling which the poll described as saying "corporations and unions can spend as much money as they want to help political candidates win elections." Additionally, 72% supported "an effort by Congress to reinstate limits on corporate and union spending on election campaigns"; and,

WHEREAS, several proposed amendments to the Constitution of the United States are being considered by the United States Congress that would allow the American people, by and through their democratically elected government, to limit the rights of corporations to unfairly influence elections.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLINGHAM, WASHINGTON:

That the City Council of the City of Bellingham hereby supports amending the United States Constitution to declare that corporations are not entitled to the constitutional rights of natural persons, and further to ensure that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech and may be subject to justifiable regulation for the common good, and the City Council calls on Congress to begin the process of amending the United States Constitution.

PASSED by the Council this 4th day of June, 2012.



Council President

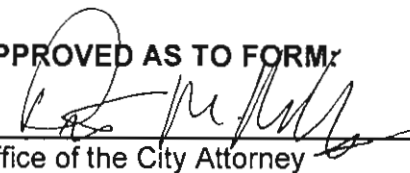
APPROVED by me this 14th day of June, 2012.



Mayor

ATTEST: 

Finance Director

APPROVED AS TO FORM:


Office of the City Attorney